

EXHIBIT 20

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

COMMUNITIES FOR A BETTER) CASE NO.
ENVIRONMENT, A CALIFORNIA) 997013
NON-PROFIT CORPORATION, ON)
BEHALF OF THE GENERAL PUBLIC,)
)
PLAINTIFF,)
)
VS.)
)
UNOCAL CORPORATION, ET AL.,)
)
DEFENDANTS.)-----)

DEPOSITION OF MEENA NAINAN

FRIDAY, AUGUST 11, 2000

FILE NO. 000811TRB
REPORTED BY TERRY R. BANKEY, C.S.R. NO. 7442



COURT REPORTERS, INC.

Personal Court Reporters
Sylvia Becker & Associates
Rose Reporting Service
Clifton-Strickland Reporters
Reason Reporting

Van Nuys • (818) 988-1900 • Los Angeles • (323) 857-1010
Ventura (805) 654-1058 • Santa Barbara • (805) 966-0177

09:59 AM A No, I do not.

2 Q When did you first hear about the gasoline
3 additive MTBE?

4 A While I was a field remediation engineer in
10:00 AM New Jersey.

6 Q And that was in between '90 and '92?

7 A No, between '92 and --

8 Q '95?

9 A '95.

10 Q Okay.

11 A Yeah.

12 Q Sorry.

13 Do you remember what year that was?

14 A '92 or beginning of '93.

10:00 AM Q What was the context of you first hearing
16 about MTBE?

17 A MTBE was a constituent that was tested for
18 at our facilities.

19 Q In New Jersey?

10:01 AM A In New Jersey.

21 Q And that was because the state required that
22 you test for MTBE?

23 A Yeah, local regulations required it.

24 Q Do you know when New Jersey first began
10:01 AM requiring the testing for MTBE?

10:01 AM A No, I don't.

2 Q But it had been required as of the day you
3 began working there, as far as you know?

4 A Yes.

10:01 AM Q When you say required testing of it, what
6 specifically did that mean? Did that mean testing
7 for it at sites where there was currently being
8 remediation going on?

9 A Sites where we had investigations they would
require us to test for MTBE.

11 Q So state regulations did not require that
12 there be testing for MTBE at sites where there was no
13 ongoing investigation?

14 A To the best of my knowledge, that is the
10:02 AM case.

16 Q At that time did Mobil nonetheless require
17 testing at all sites for MTBE regardless of whether
18 there was a known release?

19 A We tested for MTBE at sites where we had a
10:02 AM known release.

21 Q Does that mean they did not test at sites
22 other than where there was a known release?

23 A As far as I know, during the time period
24 that I was a field engineer we tested for MTBE at
10:02 AM sites where we had a known release.

10:02 AM Q Just those sites?

2 A Yes.

3 MS. EVANGELISTI: Okay. Let's take a break.

4 THE VIDEOGRAPHER: Going off the record at

10:02 AM 10:02 a.m.

6 (Recess taken.)

7 THE VIDEOGRAPHER: Going back on the record

8 at 10:13 a.m.

9 BY MS. EVANGELISTI:

10:13 AM Q Before the break we were talking about
11 testing for MTBE at sites in New Jersey.

12 A I would like to actually clarify a short
13 point.

14 Q Sure.

10:13 AM A We were referring to them as known releases.

16 Q Yes.

17 A And we also did this at suspected releases.

18 Q Okay.

19 A Release sites.

10:13 AM Q As a general practice in New Jersey, Mobil
21 tested for MTBE at those sites where there was either
22 a known release or a suspected release?

23 A Yes.

24 Q Okay. While you were working in New Jersey,
10:13 AM did Mobil have any sort of policy with respect to

10:13 AM putting groundwater monitoring wells in at every
2 service station that it owned in New Jersey?

3 MS. WEAVER: Objection. Lack of foundation,
4 vague and ambiguous.

10:14 AM THE WITNESS: We installed wells at sites
6 that we had suspected or known releases in New
7 Jersey.

8 BY MS. EVANGELISTI:

9 Q Only those sites were there were known or
10:14 AM suspected releases?

11 A To the best of my knowledge.

12 Q If there was a known or suspected release
13 and MTBE was tested for in accordance with state
14 regulations, after there was remediation that dealt
10:14 AM with the contamination was MTBE continued to be
16 tested for afterwards?

17 Do you understand my question?

18 A No, I'm sorry.

19 Q Okay. You said the state regulations
20 required that MTBE be tested for at a station where
21 there was a known release and that it was also tested
22 if there was a suspected release.

23 Say that occurred and then there was
24 remediation of the contamination.

10:15 AM A Okay.

10:15 AM Q After the end of the remediation process for
2 that service station site, did they continue to test
3 for MTBE at that site?

4 A Well, we would test as the regulators
10:15 AM required, and in some cases we may test for MTBE and
6 some we may have been relieved of that obligation.
7 It depended on what the agency required from us.
8 Until we received closure.

9 Q Tell me what closure means because I've
10:15 AM heard that in a number of different depositions and
11 in documents. What does closure mean, is your
12 understanding?

13 A Closure in the eyes of the agency is at the
14 time from which the -- and I'm going to use the word
10:15 AM Mobil -- Mobil is no longer required to do any type
16 of remediation or monitoring on the site and the case
17 file is closed.

18 Q When I asked earlier whether Mobil tested
19 for MTBE at those sites that were closed, as we've
10:16 AM now defined it, you said under some situations the
21 regulatory agencies did require continued testing and
22 other times the regulatory agencies didn't.

23 My question is did Mobil ever endeavor to do
24 more than what was required by the regulatory
10:16 AM agencies?

10:16 AM MS. WEAVER: Objection. You've
2 mischaracterized her prior testimony, and the
3 question's vague and ambiguous.

4 You can answer it if you understand.

10:16 AM BY MS. EVANGELISTI:

6 Q And clarify any mischaracterization I've
7 done because it was unintentional.

8 A Yeah. With regards to -- when you were
9 talking about testing at sites after it was closed, I
10:16 AM mean, we test sites until it was closed --

11 Q Right.

12 A And at that point the agency would grant us
13 closure.

14 Q Right. And my question is at those sites
10:16 AM where they had obtained closure, meaning, under my
16 definition, remediation had occurred and the
17 regulatory agencies no longer required any sort of
18 testing, did Mobil ever endeavor to take it a step
19 further and continue to test nonetheless?

20:17 AM A During my time in New Jersey that would have
21 been on a site specific case, you know, and it
22 depended upon the characteristics of the site.

23 To my knowledge, on the sites that I've
24 worked on that was not the case.

20:17 AM Q In other words, they normally stopped

10:17 AM testing when they were no longer required to test?

2 A Yes, on the sites that I have worked on.

3 Q Okay. We've been talking now about your
4 knowledge with respect to New Jersey and testing, and
10:17 AM my questions now are going to be focused on
6 California.

7 Do you know when/if Mobil began a regular
8 practice of testing for MTBE at sites, meaning
9 service stations, in California?

10:17 AM A My recollection is they started after April
11 of '96 on a routine basis.

12 Q Do you know why they began testing for MTBE
13 on a routine basis after April of '96?

14 A We were issued a directive letter from the
10:18 AM agency, the State Board.

16 Q I'm sorry, from what board?

17 A The State Water Resources Board.

18 Q State Water Resources Control Board?

19 A Yes.

20 Q And when you say on a routine basis, what
21 does that mean?

22 A I believe that the letter required us to
23 begin testing for MTBE at all the sites where we had
24 known or suspected releases or groundwater monitoring
10:19 AM wells and so we did it on a routine basis from that

10:19 AM point on.

2 Q You said known or suspected releases and
3 groundwater monitoring wells. Do you mean at those
4 sites where there were known or suspected releases
10:19 AM that had groundwater monitoring wells or did you mean
6 anyplace where there's a known or suspected release
7 and anyplace separate that had a groundwater
8 monitoring well?

9 A Sites that we had groundwater wells we could
10:19 AM routinely and on a regular basis test for whatever
11 constituents we wished for --

12 Q Right.

13 A -- because the wells are in place.

14 After April of '96, if we were doing any
10:19 AM type of assessments, so this would be new groundwater
16 wells or soil borings, at that time we started
17 testing for MTBE.

18 Q I guess I'm still not clear. What I
19 understood from what you said is that if there is a
10:19 AM groundwater monitoring well that has been installed
21 for whatever reason at a service station site --

22 A Uh-huh.

23 Q -- the capability for testing for MTBE is
24 there because there's a well?

10:20 AM A Exactly.